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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,159	05/09/2001	Walter Goerenz	3633-503	2512

22850 7590 04/23/2004

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER	
ROSSI, JESSICA	

ART UNIT	PAPER NUMBER
1733	

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)	
	09/851,159	GOERENZ ET AL.	
	Examiner	Art Unit	
	Jessica L. Rossi	1733	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1.☒ A Notice of Appeal was filed on *12 April 2004*. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2.☐ The proposed amendment(s) will not be entered because:

(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

(b) ☐ they raise the issue of new matter (see Note below);

(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3.☐ Applicant's reply has overcome the following rejection(s): _____.

4.☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5.☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *see attached document*.

6.☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7.☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: *1-3 and 5-22*.

Claim(s) withdrawn from consideration: _____.

8.☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9.☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10.☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 4/12/04 have been fully considered but they are not persuasive.

2. On pages 9-10 of the arguments, Applicant argues that Winter is not relevant to the objective and the process of the present invention as claimed because Winter is concerned with a method of providing a glazing with an antenna, and in no way describes or suggests a method of so shaping and fabricating the edge region of two glass plies that are to be bonded together so as to provide a protective seal around the periphery of the glazing that is produced.

First, Applicants "protective seal" results from providing a protective layer 6 that overlaps a surface coating 5 located on one of the plies by extending between coated and uncoated regions of the ply near the peripheral edge thereof (see Figure 1). The "protective seal" results from the protective layer being an electroconductive ceramic paint where the present invention fails to disclose and/or claim specific ceramic paints (p. 3, lines 5-7 and 24-25).

Although Winter does not expressly set forth a concern with providing a protective seal for the glazing, the reference does teach providing an electroconductive ceramic paint 124/224 (column 5, lines 32-35) that overlaps a surface coating 112/212 located on pane 116/216 by extending between coated and uncoated regions of the pane near its peripheral edge (Figure 3; column 5, lines 8-11 and 24-26). Although Winter does not expressly state that the electroconductive ceramic paint protects the glazing by being impermeable to diffusion of water vapor (see claims 1, 11, 18, 20, and 22) the skilled artisan would have appreciated that such protection is simply due to the nature of the electroconductive ceramic paint; therefore, since

Winter also teaches an electroconductive ceramic paint the skilled artisan would have appreciated that it too would be impermeable to diffusion of water and therefore protect the glazing from such – even if this protection is not an expressly stated concern of Winter.

As for the "shaping and fabricating" of the edge region (i.e. removing edge portions of the surface coating to achieve a surface coating spaced from the peripheral edges of the pane), the examiner points out that Winter was not used in a 102 rejection but was instead used in a 103(a) rejection wherein ample motivation for removing edge portions of the coating was provided, as set forth in paragraph 10 of the final office action dated 11/13/03 with respect to the Koontz reference.

3. On pages 11-12 of the arguments, Applicant maintains the view that ply 232 and connector 224 in Figure 4 of Winter correspond directly with ply 116 and connector 124 in Figure 3; therefore surface coating 112 and connector 124 are located on the outside surface of ply 116 opposite the PVB adhesive layer 234 when bonded to a second glass ply, whereas the present invention claims the surface coating and overlapping protective layer, which has been equated to Winter's connector 124, being on the inside surface of the ply between the ply and adhesive layer.

The examiner maintains that Applicant has misinterpreted the embodiments depicted in Figures 3 and 4. First, Winter teaches coating 112 can be applied to or incorporated into a flexible layer such as PVB, which is then adhered to surface 114 of glass ply 116, as an alternative to coating layer 112 directly onto surface 114 (column 3, line 65 – column 4, line 1). Since the reference also teaches this same alternative regarding coating 212 such that it can be applied to or incorporated into PVB adhesive layer 234 (column 4, lines 39-41), the skilled

artisan reading the reference as a whole would have readily appreciated that the flexible PVB layer referred to with respect to coating 112 of Figure 3 is also an adhesive layer; therefore, the skilled artisan would have readily appreciated that a second glass ply would be bonded to the exposed surface of the adhesive layer thereby sandwiching coating 112 and connector 124 between the two glass plies.

Furthermore, Figure 3 illustrates a "direct" connector 124 while Figure 4 illustrates a "capacitive" connector 224 (column 5, lines 7-11). However, Winter teaches the connector 224 can **alternatively** be positioned along **inner surface 214 of outer ply 216** to establish a **direct** connection between connector 224 and coating 212 (column 5, lines 24-26). Therefore, the skilled artisan would have looked to the direct connection of the antenna arrangement depicted in Figure 3 to appreciate that connector 224 would directly correspond with connector 124 and coating 212 would directly correspond with coating 112 in terms of their arrangement on inner surface 214 of ply 216 in order to establish a direct connection. Therefore, Winter does teach connector 224 and surface coating 212 being located on the inside surface of ply 216 **between** ply 216 and PVB adhesive layer 234.

4. On page 12 of the arguments, Applicant argues that Winter fails to teach the coating being removed to expose a region between about 0.1-5 mm where sealing the edges of the coating takes place upon application of a protective layer that extends over the exposed edges of the coating.

As for removing the coating to expose a region between about 0.1-5 mm, ample motivation for such a process step was provided by the Koontz reference, as set forth in

paragraph 10 of the final office action dated 11/13/03. As for the protective layer extending over the exposed edges of coating, Winter teaches such (see direct connection illustrated in Figure 3).

5. On page 12 of the arguments, Applicant argues that Koontz has nothing to do with modifying the edge construction of two glass plies being bonded together to form a glazing.

The examiner points out that Koontz was only used to show it is known in the glazing art to coat the entire surface of a glass ply and remove edge portions of the coating to achieve the desired spacing from peripheral edges of the ply. See paragraphs 10 and 11 of the final office action.

6. On pages 12-13 of the arguments, Applicant argues that Tweadey fails to teach removing at least one edge of a transparent surface coating to expose a region between about 0.1-5 mm from the peripheral edge of the pane and then applying a protective layer proximate the peripheral edge of the pane so that it extends across the edge of the coating.

The examiner points out that Tweadey was only used to show it is known glazing art to apply a transparent surface coating to the entire surface of a glass pane and then remove edge portions of the coating to expose a region between about 0.025-3.18 mm from the peripheral edge of the pane (column 4, line 61 – column 5, line 5; column 5, lines 11-12). See paragraphs 10-11 of the final office action.

7. On page 14 of the arguments, Applicant argues that Shukuri and Marquardt fail to teach or suggest the specifics of claims 21 and 22.

The examiner points out that these references were only used to show it is known in the art to grind the peripheral edges of glass panes. See paragraph 12 of the final office action.

8. On pages 15-16, Applicant argues that Eisenfuhr, Siegfried, Carter, and Goerenz fail to overcome and improve upon deficiencies of the primary reference.

The examiner points out that these references were only used to show that removing a coating by abrading and/or grinding, covering an entire surface of a transparent coating located on a glass ply with an electroconductive ceramic paint, and bending a coated glass ply is known in the art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jessica L. Rossi** whose telephone number is **571-272-1223**. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard D. Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jessica Rossi
Art Unit 1733
JLR

JEFF H. AFTERGUT
PRIMARY EXAMINER
GROUP 1300